

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

V.

MANUEL E. PAIZ GUEVARA

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) Case no. 1:14-CR-306-GBL - 8

**ORDER
COURT MONITORED BRADY TENDER**

CAME ON TO BE CONSIDERED, the motion of the Defendant for Court-Monitored Brady Tender.

The Court having reviewed the pleadings and having heard the argument of counsel is of the opinion that the motion should be, and hereby is, GRANTED.

The United States is hereby required to:

1. admit or deny, either in writing or on the record, the existence of each specific and enumerated item of *Brady* requested information sought by the defense.
2. to state, either in writing or on the record, the specific steps it has taken to comply with *Kyles v. Whitley*, 514 U.S. 419 (1995), obligations to determine the existence of specific *Brady* request information in the files and writings of law enforcement.

3. The court strongly encourages the prosecution to disclose, or at least to submit for *in camera* review, under penalty of sanction including dismissal, all evidence that is arguably within the rule in *Brady* and/or in compliance with a specific and enumerated *Brady* request of the defense.

4. to submit for *in camera* review, on the record, such record to be sealed among the record of this case, any exculpatory, mitigating or impeachment information it wishes to withhold because the prosecution believes the information is not "material" to the outcome under *Brady* or information the disclosure of which would cause a public or witness security concern.

5. The court shall issue written orders and findings of fact and conclusions of law regarding each specific *Brady* request made by the defense.

ENTER / /

Judge

We ask for this:

David P. Baugh, Esq.
W. Michael Chick, Jr. Esq.
Attorneys for Defendant